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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
ZHONG, CHAD	

ART UNIT	PAPER NUMBER
2154	13

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/632,959	PAREKH, SANJAY M.	
	Examiner	Art Unit	
	Chad Zhong	2154	

-- The MAILING DATE of this communication appears on the cov r sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *9,10*.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

FINAL ACTION

1. This action is responsive to communications: Amendment, filed on 03/25/2004. This action has been made final.

2. Claims 1-12 are presented for examination. In amendment A, filed on 03/25/2004: claims 1-5 and 7-9 are amended.

Claim Rejections - 35 USC § 112, first paragraph

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. As per claim 7, Fig. 16 and pg 41 lines 19-23 have not suggested the notion of sending geographic location to the Internet user's machine; and redirecting the Internet user's machine to the external network. Also refer to 103 rejection for claim 7.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCanne et al. (hereinafter McCanne), US 6,415,323, in view of Lamm et al. (hereinafter Lamm), "Real Time Geographic Visualization of World Wide Web Traffic", WWW Journal Issue 3.

7. As per claim 1, McCanne substantially teaches the invention as claimed wherein a method for obtaining a geographic location of an Internet user that accesses an external network from a private network through a server, comprising:

receiving by an external server on the external network a request for information from an Internet user through server (Col. 8, lines 17-22; Col. 12, lines 25-30).

determining by the external server that the request for information is through the server (Col. 9, lines 40-42);

redirecting by the external server the request for information to an internal server of the private network (Col. 8, lines 17-22);

8. McCanne does not teach the method to use a proxy server. However, it would have been obvious to one of ordinary skill in this art at the time of invention to include proxy server doing so would improve the security of McCanne's system limiting internet access through the usage of a proxy behind a firewall.

9. McCanne does not teach the internal server determining the geographic location of the Internet user; receiving by the external server the geographic location from the internal server within the private network; and using the geographic location of the Internet user in handling the request for information from the Internet user.

10. Lamm teaches the internal server determining the geographic location of the Internet user (pg 3,

"Geographic Location Mapping", 2nd and 4th paragraph); receiving by the external server the geographic location from the internal server within the private network; and using the geographic location of the Internet user in handling the request for information from the Internet user (pg 3, "Motivations", 2nd paragraph).

11. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of McCanne and Lamm because they both dealing with servers offering services towards a client request. Furthermore, the teaching of Lamm to allow internal server determining the geographic location of the Internet user; receiving the geographic location from the internal server within the private network; and using the geographic location of the Internet user in handling the request for information from the Internet user would improve the functionality for McCanne's system by extending the server services which was generically stated in McCanne to discovery of geographic location of clients.

12. As per claim 2, McCanne teaches wherein the external network is Internet (Col. 12, lines 25-30).

13. As per claim 3, McCanne teaches the method substantially as claimed wherein a method for determining a geographic location of an Internet user that accesses an external network from a private network through a server, comprising:

receiving a request within the private network, the request originating from the external network outside of the private network (Col. 12, lines 25-30);

detecting that the request for the geographic location of the Internet user was redirected from the external network (Col. 9, lines 40-42; Col. 8, lines 17-22);

14. McCanne does not teach the request is a geographic location of the Internet user; determining the geographic location of the Internet user; and sending the geographic location to the external network.

15. Lamm teaches the request is a geographic location of the Internet user; determining the geographic location of the Internet user (pg 3, "Geographic Location Mapping", 2nd and 4th paragraph); and sending the geographic location to the external network (pg 3, "Motivations", 2nd paragraph).

16. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of McCanne and Lamm because they both dealing with servers offering services towards a client request. Furthermore, the teaching of Lamm to allow request is a geographic location of the Internet user; determining the geographic location of the Internet user; and sending the geographic location to the external network would improve the functionality for McCanne's system by extending the server services which was generically stated in McCanne to discovery of geographic location of clients.

17. As per claim 4, McCanne teaches wherein receiving the request for the geographic location originating from the external network comprises receiving the request from a machine associated with the Internet user (Col. 8, lines 17-22; Col. 12, lines 25-30).

18. As per claim 5, Lamm teaches wherein determining the geographic location comprises determining the geographic location based on an internal address associated with the Internet user and a geographic location/internal 1P address mapping table contained within the private network (pg 3, "Geographic Location Mapping", 2nd and 4th paragraph).

19. As per claim 6, Lamm teaches wherein determining the geographic location comprises:

determining an internal address of the Internet user; and

accessing a geographic location/internal IP address mapping table contained within the private network (pg 3, "Geographic Location Mapping", 2nd and 4th paragraph).

20. As per claim 7, McCanne and Lamm does not teach wherein sending the geographic location to an external server on the external network; and redirecting a machine associated with the Internet user to the external server. However it would have been obvious to one of ordinary skill in this art at the time of invention to send geographic information to client's machine first and send newly acquired geographic information towards external network/web server because doing so would be essential in certain network environments. Take a DHCP network for example, where IP addresses of client machines are updating periodically, so it is necessary and obvious in this case to send the newly acquired geographic information to the client first and having the client send said geographic information along with its own identification to external network.

21. As per claim 8, McCanne teaches the invention substantially as claimed wherein a method for obtaining a geographic location of an Internet user that accesses an external network from a private network through a proxy server, comprising:

receiving, by an internal server on the private network, a request of the Internet user from an external server on the external network (Col. 8, lines 17-22; Col. 12, lines 25-30;);

determining, by the internal server, for the geographic location of the Internet user located inside the private network having the proxy server (Col. 8, lines 17-22; Col. 12, lines 25-30; Col. 9, lines 40-42);

22. McCanne does not teach sending the geographic location of the Internet user to the external server.

23. Lamm teaches sending the geographic location of the Internet user to the external server. (pg 3"Geographic Location Mapping", 2nd and 4th paragraph; pg 3, "Motivations", 2nd paragraph; pg 2, "World Wide Web performance Data", 4th paragraph).

24. As per claim 9, McCanne teaches wherein the external network is Internet (Col. 12, lines 25-30).

25. As per claim 10, McCanne teaches the invention substantially as claimed wherein a method for resolving a domain name inquiry to assist in gathering geographic location of an Internet user comprising:

receiving the domain name inquiry, the domain name inquiry being issued by the Internet user (Col. 12, lines 25-30; Col. 8, lines 17-22);

determining if the inquiry originated from within a private network (Col. 12, lines 25-30; Col. 11, lines 57-65);

resolving the inquiry by returning a first IP address if the inquiry did not originate from within the private network, the first IP address being associated with an external server located outside of the private network (Col. 12, lines 25-30; Col. 9, lines 33-47); and

resolving the inquiry by returning a second IP address if the inquiry did originate from within the private network, the second IP address being associated with an internal server located inside the private network (Col. 12, lines 25-30; Col. 5, lines 2-3; Col. 3, lines 64-67);

26. McCanne does not teach wherein the internal server and the external server are for determining the geographic location of the Internet user and for making this geographic location information available.

27. Lamm teaches wherein the internal server and the external server are for determining the geographic location of the Internet user and for making this geographic location information available (pg 3"Geographic Location Mapping", 2nd and 4th paragraph; pg 3, "Motivations", 2nd paragraph).

28. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of McCanne and Lamm because they both dealing with servers offering services towards a client request. Furthermore, the teaching of Lamm to allow internal server determining the geographic location of the Internet user; receiving the geographic location from the internal server within

the private network; and using the geographic location of the Internet user in handling the request for information from the Internet user would improve the functionality for McCanne's system by extending the server services which was generically stated in McCanne to discovery of geographic location of clients.

29. As per claim 11, McCanne teaches wherein receiving the inquiry on the domain name comprises receiving the inquiry at a domain name server (Col. 9, lines 33-47).

30. As per claim 12, McCanne teaches wherein the resolving by returning the first IP address and the resolving by returning the second IP address are performed by a domain name server (Col. 9, lines 33-37).

Conclusion

31. Applicant's remarks filed 03/25/2004 have been considered but are found not persuasive in view at the new grounds at rejection necessitated by Applicant's amendment.

32. In the remark, the applicant argued in substance that McCanne fails to disclose or suggest methods or systems for determining or obtaining the geographic location of a user that accesses an external network, such as the Internet, from a private network through a proxy server.
In response to applicant's amendment, the above limitation is taught in combination of McCanne and Lamm.

McCanne discloses a system that determines the location of the end user (Col. 3, lines 40-45), further the locations of the network nodes are spread through out the Internet as it is a well known convention in the art and supported by McCanne. Lastly, McCanne's system is capable of requesting and receiving information from various internal and external networks, as supported by Figs 2-4 and Col. 12, lines 25-30.

Lamm explains in detail that the "information" as geographic information that can be requested and delivered in between different networks (pg 2, "World Wide Web Performance Data", 4th paragraph; pg 3, "Motivations", 2nd paragraph). Thus, in light of the above, the combination of McCanne and Lamm does teach the applicant's invention.

33. In the remark, the applicant argued in substance that Lamm fails to disclose or suggest the utilization of an internal server for determining the geographic location of an Internet user in a private network.

In response to applicant's amendment, the above limitation is taught by Lamm.

Lamm discloses the utilization of an internal server for determining the geographic location of an Internet user in a private network (pg 3, "Motivations", 2nd paragraph; "Geographic Location Mapping", 1st – 4th paragraph). It should be well known in the art that notion of an internal server is domain dependent, another words, depending on which domain one is located there is an internal server within that domain. Lamm discloses the internal server of the current domain determining the geographic location of a particular node on the private network. Further utilizing the geographic mapping, exact latitude and longitude coordinates can be retrieved and obtained.

The section that applicant sited in regards to 5th paragraph under "Geographic Location Mapping" can be over come by decomposing domain names, furthermore, this section is regarding to potential (limit the accuracy) problems involving network firewalls and national online services. Neither of the above are part of limitations supplied by the applicant, lastly this section does not provide valid evidence to invalidate Lamm's system from working successfully for determining the geographic locations of a user in a private network behind a proxy server.

THIS ACTION IS MADE FINAL. Applicant is reined of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Determining Geographic Locations of Private Network Internet Users".

i.	US 2002/0007374	Marks et al.
ii.	US 6,505,201	Haitsuka et al.
iii.	US 6,629,136	Naidoo.
iv.	US 2002/0143991	Chow et al.
v.	US 6,513,061	Ebata et al.
vi.	US 6,286,047	Ramanathan et al.
vii.	US 6,243,749	Sitaraman et al.
viii.	US 6,324,585	Zhang et al.
ix.	US 6,578,066	Logan et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ
April 29, 2004

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
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